

Coastal Impact Assistance Program

Procurement Requirements

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The objective of this briefing is for you to:

1. Become familiar with procurement requirements (43 CFR 12.76) when using federal funds
2. Know why compliance is important!

Note: Address of the Code of Federal Regulations:

<http://www.gpoaccess.gov/cfr/index.html>

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OVERVIEW

1. Code for States
2. Code for Local Governments
3. Code for Subawardees

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- **1. CODE FOR STATES**
- **Title 43 CFR, Part 12 Subpart C- Uniform Administrative and Audit Requirements for Grants and Cooperative Agreements to State and Local Governments**
 - **Section 12.76 Procurement (a) States.**
 - **When procuring property and services under a grant, a State will follow the same policies and procedures it uses for procurements from its non-Federal funds. The State will ensure that every purchase order or other contract includes any clauses required by Federal statutes and executive orders and their implementing regulations.**

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2. CODE FOR LOCAL GOVERNMENT

- **Title 43 CFR, Part 12 Subpart C- Uniform Administrative and Audit Requirements for Grants and Cooperative Agreements to State and Local Governments**
 - **Section 12.76 Procurement**
 - **(a) Other grantees and subgrantees will follow paragraphs (b) through (i) in this section.**

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43 CFR 12.76 Paragraphs (b) through (i)

- (b) Procurement Standards.**
- (c) Competition.**
- (d) Methods of procurement to be followed.**
- (e) Contracting with small and minority firms, women's business enterprise and labor surplus area firms.**

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- **(f) Contracting cost and price (Cost and price analysis requirements for grantees)**
 - **(g) Awarding agency review**
 - **(h) Bonding requirements**
 - **(i) Contract provisions**
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- **(See 43 CFR 12.76 at**
<http://www.gpoaccess.gov/cfr/index.html>)

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3. CODE FOR SUBGRANTEES

- **State and local Governments - 43 CFR 12.76**
- **2 CFR 215 40-48 Uniform Administrative Requirements for Federal Grants and Agreements Awarded to Institutions of Higher Education, Hospitals, and other Non-Profit Organizations**

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Definitions:

1. What does CIAP mean by sub-grantee?

- Subgrantee means the government or other lead entity to which a subgrant is awarded and is accountable to the grantee for use of the funds awarded
- Subgrant means an award of financial assistance under a grant by a grantee. Does not include procurement purchases.

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2. What does CIAP mean by sub-contract?

- Sub-contract means a contract under a Federal grant. Contracts should be used whenever the principal purpose of the award is to acquire goods or services for the government's own use.

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What does CIAP mean by subrecipient?

- A subrecipient (subcontractor or sub-grantee) is a third-party organization that receives funding from a grantee to collaborate in carrying out a CIAP project.

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THE END